

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

NOTICE OF DEPOSITION OF CRAIG M. SMITH

Please take notice that Plaintiff Ampex Corporation (“Ampex”) will take the deposition upon oral examination of Craig M. Smith, pursuant to Rule 30 of the Federal Rules of Civil Procedure. The deposition will be held at the Alliance Building, 183 East Main Street, Suite 1500, Rochester, NY 14604, commencing on or about February 28, 2006, at 9:00 a.m. or at such other date, time and place as mutually agreed upon by counsel, and ending on or about February 28, 2006, at 5:30 p.m., or until completed.

This examination will be taken before a Notary Public or other person authorized to administer oaths and will be recorded stenographically and/or by video and shall continue from day to day until completed. Testimony derived pursuant to this Notice of Deposition shall be used for any and all appropriate purposes permitted by the Federal Rules of Civil Procedure.

You are invited to attend.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Julia Heaney (#3052)

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February 2, 2006

CERTIFICATE OF SERVICE

I, Julia Heaney, hereby certify that on February 2, 2006, I caused to be electronically filed the foregoing *Notice of Deposition of Craig M. Smith* with the Clerk of the Court using CM/ECF, which will send notification of such filing(s) to the following:

Paul M. Lukoff, Esquire
David E. Brand, Esquire
Prickett, Jones & Elliott, P.A.

and that I caused copies to be served upon the following in the manner indicated:

BY HAND

Paul M. Lukoff, Esquire
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BY FEDERAL EXPRESS

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/s/ Julia Heaney
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